

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

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JOSEPH P. LASALA and : No. 09-CV-00986 (JAP)
FRED S. ZEIDMAN, as CO-TRUSTEES : Honorable Joel A. Pisano
of the AREMISSOFT CORPORATION : United States District Judge
LIQUIDATING TRUST, :

Plaintiffs, :

v. : **CERTIFICATION OF**
MARFIN POPULAR BANK PUBLIC : **TODD S. FISHMAN**
COMPANY, LTD., : Electronically Filed

Defendant. :
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TODD S. FISHMAN, certifies under penalty of perjury, pursuant to 28 U.S.C. § 1746, as follows:

1. I am an attorney admitted to practice before this Court and am a member of Allen & Overy LLP, counsel for defendant Marfin Popular Bank Public Co Ltd in this action. I make this certification in support of the Bank's motion to dismiss plaintiffs' complaint.
2. Attached hereto as Exhibit A is a true copy of the Complaint filed in this action.

3. Attached hereto as Exhibit B is a true copy of the Third Annual Status Report of the Trustees of the AremisSoft Liquidating Trust for the Period October 1, 2004 through September 30, 2005, In re AremisSoft Corp., No. 02-32621 (RG) (D.N.J. March 1, 2006).

4. Attached hereto as Exhibit C is a true copy of the Liquidating Trust Agreement, entered as docket item 100 in the action In re AremisSoft Corp., No. 02-32621 (RG).

5. Attached hereto as Exhibit D is a true copy of the Declaration of Joseph P. LaSala dated May 30, 2006, LaSala v. Bordier et Cie and Dominick Company, AG, Civ. No. 05-4520 (JAP).

6. Attached hereto as Exhibit E is a true copy of the Motion of the AremisSoft Liquidating Trust to Approve the Coordination Agreement with the United States, In re AremisSoft Corp. Securities Litig., No. 01-cv-2486 (JAP), at ¶¶ 22-26 (D.N.J. Sept. 16, 2004).

7. Attached hereto as Exhibit F is a true copy of the Amended Findings of Fact and Conclusions of Law and Order Approving Coordination Agreement between the AremisSoft Liquidating Trust and the United States, dated as of September 14, 2004, In re AremisSoft Corporation, Bankruptcy Case No. 02-32621 (RG) (D.N.J. Oct. 14, 2004).

8. Attached hereto as Exhibit G is a true copy to the decision A.S.T., LLC v. Pallenberg, Civ. No. 07-795 (JAP), 2007 WL 1827188 (D.N.J. June 25, 2007).

9. Attached hereto as Exhibit H is a true copy of the decision Roy v. Brahmbhatt, Civ. No. 07-5082, 2008 WL 5054096 (D.N.J. Nov. 26, 2008).

10. Attached hereto as Exhibit I is a true copy of the decision Koger, Inc. v. O'Donnell, Civ. No. 07-3091, 2007 WL 3232586 (D.N.J. Oct. 31, 2007).

11. Attached hereto as Exhibit J is a true copy of the decision Bison Pulp & Paper Ltd. v. M/V Pergamos, No. 89 Civ. 1392, 1995 WL 880775 (S.D.N.Y. Nov. 29, 1995).

12. Attached hereto as Exhibit K is a true copy of the decision U.S.O. Corp. v. Mizuho Holding Co., No. 06 C 0459, 2007 WL 2893628 (N.D. Ill. Sept. 27, 2007), aff'd, 547 F.3d 749 (7th Cir. 2008).

13. Attached hereto as Exhibit L is true copy of the decision Zweig v. National Mortgage Bank of Greece, No. 91 Civ. 5482, 1993 WL 227663 (S.D.N.Y. June 21, 1993).

14. Attached hereto as Exhibit M is a true copy of the decision Ashcroft v. Iqbal, 127 S. Ct. 1937, 2009 WL 1361536 (U.S. May 18, 2009).

15. Attached hereto as Exhibit N is a true copy of the decision Municipal Derivatives Antitrust Litig., No. 08 Civ. 2516, 2009 WL 1204345 (S.D.N.Y. April 29, 2009).

16. Attached hereto as Exhibit O is a true copy of the decision Compuwill Express, Inc. v. ATX Telecomms. Servs., No. 96-2462, 2000 U.S. Dist. LEXIS 7303 (E.D. Pa. May 31, 2000).

17. Attached hereto as Exhibit P is a true copy of the decision Bondi v. Citigroup, Inc., No. BER-L-10902-04, 2005 WL 975856 (N.J. Super. Ct. Feb. 28, 2005).

18. Attached hereto as Exhibit Q is a true copy of the decision Kirschner v. Grant Thornton LLP, No. 07 Civ. 11604 (GEL), 2009 WL 996417 (S.D.N.Y. April 14, 2009).

Dated: New York, New York
June 10, 2009



Todd S. Fishman